

~~(III) AN INDIVIDUAL REHIRED AT A SCHOOL DESCRIBED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY NOT TEACH IN THE ARTS OR PHYSICAL EDUCATION, AS DEFINED BY THE STATE DEPARTMENT OF EDUCATION BY REGULATION.~~

(6) AN INDIVIDUAL WHO IS REHIRED UNDER PARAGRAPH (4)(VI) OF THIS SUBSECTION SHALL BE EMPLOYED AS A PRINCIPAL AT A PUBLIC SCHOOL THAT:

(I) IS NOT MAKING ADEQUATE YEARLY PROGRESS OR IS A SCHOOL "IN SCHOOL IMPROVEMENT" IN NEED OF IMPROVEMENT AS DEFINED UNDER THE FEDERAL NO CHILD LEFT BEHIND ACT OF 2001 AND AS IMPLEMENTED BY THE STATE DEPARTMENT OF EDUCATION;

(II) IS RECEIVING FUNDS UNDER TITLE 1 OF THE FEDERAL NO CHILD LEFT BEHIND ACT OF 2001; OR

(III) PROVIDES AN ALTERNATIVE EDUCATION PROGRAM FOR ADJUDICATED YOUTHS OR STUDENTS WHO HAVE BEEN EXPELLED, SUSPENDED, OR IDENTIFIED FOR SUSPENSION OR EXPULSION FROM A PUBLIC SCHOOL.

(7) AN INDIVIDUAL WHO IS REEMPLOYED UNDER PARAGRAPH (4)(V) OR (VI) OF THIS SUBSECTION AT A SCHOOL DESCRIBED UNDER PARAGRAPH (5) OR (6) OF THIS SUBSECTION MAY NOT CONTINUE THAT REEMPLOYMENT AFTER THE SCHOOL MAKES ADEQUATE YEARLY PROGRESS FOR 4 CONSECUTIVE YEARS.

(8) (I) NOTWITHSTANDING PARAGRAPH (5) OF THIS SUBSECTION, EACH SUPERINTENDENT OF A LOCAL SCHOOL SYSTEM MAY REHIRE AN ADDITIONAL NUMBER OF INDIVIDUALS DESCRIBED UNDER PARAGRAPH (4)(V) OF THIS SUBSECTION EQUAL TO THE GREATER OF:

1. THREE; OR

2. 0.1% OF THE TOTAL FULL-TIME EQUIVALENT INSTRUCTIONAL TEACHERS EMPLOYED BY THAT LOCAL SCHOOL SYSTEM, ROUNDED UP TO THE NEAREST WHOLE NUMBER NOT TO EXCEED 10, AS REPORTED ANNUALLY BY THE STATE DEPARTMENT OF EDUCATION.

(II) AT ANY ONE TIME, THE TOTAL NUMBER OF INDIVIDUALS REHIRED BY A SUPERINTENDENT OF A LOCAL SCHOOL SYSTEM UNDER THIS PARAGRAPH MAY NOT EXCEED THE NUMBER DETERMINED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(III) AN INDIVIDUAL REHIRED UNDER THIS PARAGRAPH:

1. SHALL BE REEMPLOYED AT A SCHOOL SPECIFIED IN PARAGRAPH (5)(I) OF THIS SUBSECTION; AND

2. MAY TEACH ANY SUBJECT OR CLASS OR PROVIDE EDUCATIONAL SERVICES ASSIGNED BY THE INDIVIDUAL'S SUPERINTENDENT.

~~(8)~~ (9) (I) THE SUPERINTENDENT OF THE LOCAL SCHOOL SYSTEM REHIRING AN INDIVIDUAL UNDER PARAGRAPH (4)(V) OR (VI) OF THIS SUBSECTION SHALL: